

## **Probate Notes for June 10, 2015**

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. Unless an appearance at the hearing is otherwise required by law, if petitioner submits a proposed order prior to the hearing and the recommendation is to grant the petition, no appearance is necessary. If you are scheduled to appear and there is no probate note issued in your case, you should appear as scheduled. If you wish to continue a matter, you must contact the civil division at (530) 406-6704, at least two (2) court days before your hearing.

**Please note:** The following probate matters will be heard in **Department Two at 9:00 a.m.**

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**CASE:           Estate of Coleman**  
**Case No. CV P2 15-47**

It is recommended to deny Wayne Oliver's petition to determine succession to decedent Eddie Coleman's real and personal property. Based on the lack of information in the petition, petitioner's right to the property is unclear. Additionally, the Court notes the following deficiencies:

1. The petition is not verified or signed. (Prob. Code, § 1021, subd. (b)(1); Cal. Rules of Court, rule 7.103(b).)
2. An inventory and appraisal has not been filed with the Court as required. (Petition, ¶ 8, Prob. Code, § 13152, subd. (b).)
3. Paragraph 9(b) is blank. (Petition, ¶ 9(b).)
4. Petitioner fails to include a description of decedent's real and personal property passing to the petitioner, and decedent's interest in the property, as required. (Petition, ¶ 11.)
5. Paragraph 13 is blank. (Petition, ¶ 13.)
6. Petitioner fails to include attachment 14 with the petition, as required. (Petition, ¶ 14.)
7. Petitioner fails to establish circumstances exist to support the current petition (Prob. Code, § 13150.)
8. Notice of the hearing has not been provided as required. (Prob. Code, §§ 1220, 13153.)

**CASE:           Estate of Lund**  
**Case No. CV PB 15-34**

It is recommended to grant the petition for probate of will and letters testamentary and for authorization to administer the estate under the Independent Administration of Estates Act. (Prob. Code, § 8200.)

**CASE:           Estate of Parren**  
**Case No. CV PB 14-143**

The parties are **DIRECTED TO APPEAR.** (Cal. Rules of Court, rule 7.452.)

**CASE:           Estate of Stone**  
**Case No. CV PB 14-210**

It is recommended to grant the petition for first and final account and report of executor, for allowance of statutory compensation for attorney fees, and for final distribution and settlement of the estate. (Prob. Code, § 11600 et seq.)

**CASE:           Estate of Waldin**  
**Case No. CV PB 15-66**

The Court notes the following deficiencies:

1. Proof that the notice of hearing has been served on the required parties has not been filed with the Court. (Prob. Code, § 8110.)
2. The *Duties and Liabilities of Personal Representative* form must be filed with the Court (Judicial Council of California Form DE-147).